DETAILED ACTION

Acknowledgements

This action is in response to communications filed 02/01/2012. Claims 1-3, 7-19, 22-27, 29-34, 36, 38-39, 42-49, and 5-58 are currently pending.

Response to Arguments

Applicant's arguments filed 02/01/2012 (hereinafter *Remarks*) have been fully considered.

Applicant argues that the combination of cited references does not teach or suggest the limitation(s): "directing receipt of a generic-recipient message by a network hub, wherein the generic-recipient message comprises a message sent to a group or community address".[1]

However, Outlook discloses sending an email message using named personal distribution lists. For example, Outlook describes the ability to create and name a distribution list (pg. 157). The list may be named "Gliders" (pg. 158-159) and an email may then be addressed to the group. Regarding the "generic-recipient message", applicant's specification recites:

> (pg. 1:22 through pg. 2:4) The vast majority of the digital messaging communication is conducted on a person-to-person basis. For example, one individual sends another individual an email or an SMS communication or one individual initiates a cellular telephone call to another individual. Much more limited are the communication options for person-to-group, person-community, person-to-place or person-to-application communication. **This type of communication is also referred to herein as generic-recipient message, in which the user does not send the message to a specific individual but rather to a group, a community, a location or an application**.

[1] *Remarks*, pg. 17, ¶ 4

Applying the broadest reasonable interpretation consistent with the specification, one of ordinary skill in the art would understand that Outlook's disclosure including sending email to a group address as in at least pg. 158-159 would be an example of sending a generic-recipient message comprising a message sent to a group or community address as recited in the contested claim language. Accordingly, applicant's arguments cannot be held as persuasive in this regard.

Applicant argues that Outlook's distribution list is not an example of a generic or community address.[2] Applicant's arguments are not persuasive. It is well known in the art that a distribution list name (e.g. "Gliders" as in Outlook) functions as an address. For instance, when sending an email, one may address the email to the distribution list by name. U.S. 2002/0078052 to Cheng is provided for support. See Cheng, ¶ 14: "FIG. 2 illustrates an exemplary E-mail message 200 addressed 202 to a distribution list". Cheng further clarifies what is known in the art as it clearly shows using a distribution list as a group or community address. Accordingly, applicant's arguments cannot be held as persuasive in this regard.

Applicant further argues that the cited references fail to teach or suggest determining one or more recipients for a message based, at least in part, on the determined type of the message.[3]

Applicant concedes that Ye teaches determining a communication type for a message and determining an email address where the recipient should receive the message.[4] One of ordinary skill in the art at the time of the invention would understand

[2] *Remarks*, pg. 18, ¶ 1
[3] *Remarks*, pg. 19, ¶ 2 through pg. 20, ¶ 3
[4] *Remarks*, pg. 20, ¶ 1-2

determining an email address for a message based on the type of message to be an example of *determining a recipient for a message* based on the determined type of the message. Accordingly, applicant's arguments cannot be held as persuasive in this regard.

Applicant further argues that the combination of cited references fail to teach or suggest "determining whether the message has priority based, at least in part, on the determined type". Applicant's arguments are persuasive in this regard; however, applicant's claims are not patentable over the new combination of cited references as set forth below. The balance of applicant's arguments relies on matters addressed above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-3, 9, 22, 25-26, 36, 38-39, 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft Outlook 97 (hereinafter Outlook) in view of U.S. 7,171,190 to Ye et al ("Ye"), in view of U.S. 2005/0114453 to Hardt

Regarding claim 1,

Outlook teaches a method comprising:

directing receipt of a generic-recipient message by a network hub, wherein the generic-recipient message comprises a message sent to a group or community address (pg. 86, 157-159, message sending using personal distribution list.);

determining predefined attributes of the message, wherein the predefined attributes comprise one or more of a sender of the message, subject of the message, or content of the message (pg. 86, 157-159, sender of the message is determined as messages are routed through the server.);

directing dispatch of the message to the one or more determined recipients (Outlook, pg. 157-159, email distributed based on distribution group membership.)

Outlook does not expressly disclose:

determining a type of communication medium of the message;

determining one or more recipients for the message based, at least in part, upon the determined type;

However, Ye discloses:

determining a type of communication medium of a message (col. 1:51-53, col. 5:4-7, 54-55, col. 6:34-36, message type is determined),

determining one or more recipients for a message based, at least in part, upon the determined type (col. 2:15-20, col. 5:5-13, 56-60, col. 6:34-36, recipient address determined based on message type).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Outlook to include the teachings of Ye. The motivation to do so would be that the teachings of Ye would be advantageous in terms of providing techniques for delivering messages with automatic device selection (Ye, col. 1:50-53).

Outlook and Ye do not expressly disclose:

> determining one or more recipients for the message further based, at least in part, upon the predefined attributes by comparing the predefined attributes of the message with stored information related to potential recipients

However, Hardt discloses:

> determining one or more recipients for a message further based, at least in part, upon predefined attributes by comparing the predefined attributes of a message with stored information related to potential recipients ([0022], [0068], the message is routed to recipients based on analysis of the title or body of the message. Rule based processing is used in accordance with recipient addresses and user account information.).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Hardt with the teachings of Outlook and Ye in order to route messages based on attributes of the message such as the title or the body to recipients with a specialization in a particular area (Hardt, [0068].).

Regarding claim 22,

Outlook discloses:

> an apparatus comprising at least one processor and at least one memory storing computer program code (pg. 86, mail server),
>
> wherein the at least one memory and stored computer program code are configured to, with the at least one processor, cause the apparatus to at least:
>
> direct receipt of a generic-recipient message from one or more communication networks wherein the generic-recipient message comprises a message sent to a group or community address (pg. 86, 157-159, message sending using personal distribution list.);
>
> determine predefined attributes of the generic-recipient message, wherein the

predefined attributes comprise one or more of a sender of the message, subject of the message, or content of the message (pg. 86, 157-159, sender of the message is determined as messages are routed through the server.);

directing dispatch of the message to the one or more determined recipients (Outlook, pg. 157-159, email distributed based on distribution group membership.)

Outlook does not expressly disclose:

determining a type of communication medium of the message;

determining one or more recipients for the message based, at least in part, upon the determined type;

However, Ye discloses:

determining a type of communication medium of a message (col. 1:51-53, col. 5:4-7, 54-55, col. 6:34-36, message type is determined),

determining one or more recipients for the message based, at least in part, upon the determined type (col. 2:15-20, col. 5:5-13, 56-60, col. 6:34-36, recipient address determined based on message type).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Outlook to include the teachings of Ye. The motivation to do so would be that the teachings of Ye would be advantageous in terms of providing techniques for delivering messages with automatic device selection (Ye, col. 1:50-53).

Outlook and Ye do not expressly disclose:

determining one or more recipients for the message further based at least in part upon the predefined attributes by comparing the predefined attributes of the message with stored information related to potential recipients

However, Hardt discloses:

determining one or more recipients for the message further based at least in part upon the predefined attributes by comparing the predefined attributes of the message with stored information related to potential recipients ([0022], [0068], the message is routed to recipients based on analysis of the title or body of the message. Rule based processing is used in accordance with recipient addresses and user account information.).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Hardt with the teachings of Outlook and Ye in order to route messages based on attributes of the message such as the title or the body to recipients with a specialization in a particular area (Hardt, [0068].).

Regarding claim 36,

Outlook discloses a non-transitory computer-readable storage medium carrying one or more sequences of one or more instructions which, when executed by one or more processors, cause an apparatus to at least perform the following steps:

directing storage of information related to potential message recipients (pg. 86);

directing receipt of a generic-recipient message by a network hub and determining predefined attributes associated with the generic-recipient message, wherein the generic-recipient message comprises a message sent to a group or community address (pg. 86, 157-159, message sending using personal distribution list.),

wherein the predefined attributes comprise one or more of a sender of the message, subject of the message, or content of the message (pg. 86, 157-159, sender of the message is determined as messages are routed through the server.);

directing dispatch of the message to the one or more determined recipients (Outlook, pg. 157-159, email distributed based on distribution group membership.)

Outlook does not expressly disclose:

> determining a type of communication medium of the message;
>
> determining one or more recipients for the message based, at least in part, on the determined type;

However, Ye discloses:

> determining a type of communication medium of the message (col. 1:51-53, col. 5:4-7, 54-55, col. 6:34-36, message type is determined),
>
> determining one or more recipients for the message based, at least in part, upon the determined type (col. 2:15-20, col. 5:5-13, 56-60, col. 6:34-36, recipient address determined based on message type).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Outlook to include the teachings of Ye. The motivation to do so would be that the teachings of Ye would be advantageous in terms of providing techniques for delivering messages with automatic device selection (Ye, col. 1:50-53).

Outlook and Ye do not expressly disclose:

> determining one or more recipients for the message further based, at least in part, upon the predefined attributes by comparing the predefined attributes of the message with stored information related to potential recipients

However, Hardt discloses:

> determining one or more recipients for a message further based, at least in part, upon predefined attributes by comparing the predefined attributes of the message with stored information related to potential recipients ([0022], [0068], the message is routed to recipients based on analysis of the title or body of the message. Rule based processing is used in accordance with recipient addresses and user account information.).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Hardt with the teachings of Outlook and Ye in order to route messages based on attributes of the message such as the title or the body to recipients with a specialization in a particular area (Hardt, [0068].).

Regarding claim 25,

Outlook discloses:

> wherein the at least one memory and stored computer program code are configured to, with the at least one processor, cause the apparatus to direct dispatch of the message by directing dispatch of the message to one or more determined recipients via a communication network (pg. 86, mail server)

Regarding claim 26,

Outlook discloses:

> wherein the communication network includes either a data network, a Short Message Service network, a Multimedia Message Service (MMS) network and or a telephony network (pg. 86, data network)

Regarding claim 2,

Outlook discloses:

> wherein directing receipt of a generic-recipient message by a network hub further comprises directing receipt of a generic-recipient message, that includes either a Short Message Service message, a Multimedia Message Service, message, an electronic mail message or voice message (pg. 55, 97, email).

Outlook does not expressly disclose:

> wherein determining a type communication medium of the message comprises determining whether the message comprises a Short Message Service, a Multimedia Message Service, electronic mail message, or voice message

However, Ye discloses:

> wherein determining a type communication medium of the message comprises determining whether the message comprises a Short Message Service, a Multimedia Message Service, electronic mail message, or voice message (fig. 4, col. 1:51-53, col. 5:4-7, 54-55, col. 6:34-36).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Outlook to include the teachings of Ye. The motivation to do so would be that the teachings of Ye would be advantageous in terms of providing techniques for delivering messages with automatic device selection (Ye, col. 1:50-53).

Regarding claim 9,

Outlook discloses:

> wherein directing dispatch of the message to one or more recipients further comprises directing transmission of the message to one or more recipients via a communication medium that includes either short-range wireless communication, Internet communication, SMS communication, or MMS communication (pg. 86, 157-159)

Regarding claim 38,

Outlook discloses:

> wherein directing receipt of a generic-recipient message by a network hub further comprises directing receipt of a generic-recipient message, that includes either a Short Message Service message, a Multimedia Message Service, (MMS) message, an electronic mail message or voice message (pg. 55, 97, email).

Outlook does not expressly disclose:

> wherein determining a type communication medium of the message comprises determining whether the message comprises a Short Message Service, a Multimedia Message Service, electronic mail message, or voice message

However, Ye discloses:

> wherein determining a type communication medium of the message comprises determining whether the message comprises a Short Message Service, a Multimedia Message Service, electronic mail message, or voice message (fig. 4, col. 1:51-53, col. 5:4-7, 54-55, col. 6:34-36).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Outlook to include the teachings of Ye. The motivation to do so would be that the teachings of Ye would be advantageous in terms of providing techniques for delivering messages with automatic device selection (Ye, col. 1:50-53).

Regarding claim 3, and 39,

Outlook teaches directing receipt of a message by network hub but does not explicitly teach that the network hub is wireless. However, it would have obvious to one of ordinary skill at the time of the invention to include receiving a generic-recipient message at a wireless network hub with the teachings of Outlook, Ye, and Hardt since incorporating wireless technology amounts to applying a known technique to a known device ready for improvement to yield predictable results (e.g. wireless transmission of messages). See MPEP 2141.

Regarding claim 44,

Outlook discloses:

> wherein directing dispatch of the message to one or more recipients further comprises directing transmission of the message to one or more recipients via a

communication medium that includes either short-range wireless communication, Internet communication, SMS communication, or MMS communication (pg. 86, 157-159)

Claims 10-19, 29-34, 45-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Outlook, Ye, in view of U.S. 2005/0149622 to Kirkland et al ("Kirkland") and further in view of U.S. 2002/0160757 to Shavit et al ("Shavit").

Regarding claim 10,

Outlook teaches a method for prioritizing a generic recipient message at a network hub, the method comprising:

directing receipt of a generic-recipient message by a network hub, wherein the generic- recipient message is comprises a message sent to a group or community address (pg. 86, 157-159, message sending using personal distribution list.);

determining predefined attributes of the message, wherein the predefined attributes comprise one or more of a sender of the message, subject of the message, or content of the message (pg. 86, 157-159, sender of the message is determined as messages are routed through the server.);

Outlook does not expressly disclose:

determining a type of communication medium of the message

However, Ye discloses

determining a type of communication medium of the message (col. 1:51-53, col. 5:4-7, 54-55, col. 6:34-36, message type is determined),

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Outlook to include the teachings of Ye. The motivation to do so

would be that the teachings of Ye would be advantageous in terms of providing techniques for delivering messages with automatic device selection (Ye, col. 1:50-53).

Outlook and Ye do not expressly disclose:

> determining whether the message has priority based, at least in part, on the predefined attributes by comparing the predefined attributes of the message with pre- stored priority information; and
>
> prioritizing the message when a determination is made that the message has priority; and
>
> determining to dispatch the prioritized message.

However, Kirkland discloses:

> determining whether a message has priority based, at least in part, on predefined attributes by comparing the predefined attributes of the message with pre- stored priority information (abstract, [0009-0010], priority level of a message is determined according to the subject of the message and the messages is delivered and displayed to the recipient according to the priority level.); and
>
> prioritizing the message when a determination is made that the message has priority (abstract, [0009-0010], priority level of a message is determined according to the subject of the message and the messages is delivered and displayed to the recipient according to the priority level.).
>
> determining to dispatch the prioritized message (abstract, [0009-0010]).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine determining whether the message has priority based at least in part on the predefined attributes by comparing the predefined attributes of the message with pre- stored priority information; and prioritizing the message if a determination is made that the message has priority as taught by Kirkland with the method of Outlook

and Ye in order to determine message priority based on the subject of the message (Kirkland, abstract, fig. 7.).

Outlook, Ye, and Kirkland do not expressly disclose:

> determining whether the message has priority bases, at least in part, on the determined type.

However, Shavit discloses:

> determining whether a message has priority based, at least in part, on a determined type ([0038], priority determined by message type, see fig. 3C).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the teachings of Shavit with Outlook, Ye and Kirkland. The motivation to do so is that the teachings of Shavit would be advantageous in terms of prioritizing message delivery mechanisms (Shavit, [0007]).

Regarding claim 29,

Outlook teaches an apparatus comprising at least one processor and at least one memory storing computer program code (pg. 86), wherein the at least one memory and stored computer program code are configured to, with the at least one processor, cause the apparatus to at least:

> direct receipt of a generic-recipient message from one or more communication networks wherein the generic-recipient message comprises a message sent to a group or community address (pg. 86, 157-159, message sending using personal distribution list.);
>
> determine predefined attributes of the received generic-recipient message, wherein the predefined attributes comprise one or more of a sender of the message, subject of the message, or content of the message (pg. 86, 157-159);

Outlook does not expressly disclose:

determining a type of communication medium of the message

However, Ye discloses

determining a type of communication medium of the message (col. 1:51-53, col. 5:4-7, 54-55, col. 6:34-36, message type is determined),

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Outlook to include the teachings of Ye. The motivation to do so would be that the teachings of Ye would be advantageous in terms of providing techniques for delivering messages with automatic device selection (Ye, col. 1:50-53).

Outlook and Ye do not expressly disclose:

determine whether the message has priority based, at least in part, on the predefined attributes by comparing the predefined attributes of the message with pre-stored priority information;

determine to dispatch the prioritized message.

However, Kirkland discloses:

determine whether a message has priority based, at least in part, on predefined attributes by comparing the predefined attributes of the message with pre-stored priority information (abstract, [0009-0010], priority level of a message is determined according to the subject of the message and the messages is delivered and displayed to the recipient according to the priority level.)

determining to dispatch the prioritized message (abstract, [0009-0010]).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine determining whether the message has priority based at least in

part on the predefined attributes by comparing the predefined attributes of the message with pre- stored priority information; and prioritizing the message if a determination is made that the message has priority as taught by Kirkland with the method of Outlook and Ye in order to determine message priority based on the subject of the message (Kirkland, abstract, fig. 7.).

Outlook, Ye, and Kirkland do not expressly disclose:

> determining whether the message has priority bases, at least in part, on the determined type.

However, Shavit discloses:

> determining whether a message has priority based, at least in part, on a determined type ([0038], priority determined by message type, see fig. 3C).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the teachings of Shavit with Outlook, Ye and Kirkland. The motivation to do so is that the teachings of Shavit would be advantageous in terms of prioritizing message delivery mechanisms (Shavit, [0007]).

Regarding claim 45,

Outlook discloses a non-transitory computer-readable storage medium comprising a computer readable storage medium having computer-readable program instructions embodied in the medium, the computer-readable program instructions comprising:

> directing receipt of a generic-recipient message by a network hub and determining predefined attributes associated with the generic-recipient message,

wherein the generic-recipient message comprises a message sent to a group or community address (pg. 86, 157-159, message sending using personal distribution list.),

wherein the predefined attributes comprise one or more of a sender of the message, subject of the message, or content of the message (pg. 86, 157-159);

Outlook does not expressly disclose:

determining a type of communication medium of the message

However, Ye discloses

determining a type of communication medium of the message (col. 1:51-53, col. 5:4-7, 54-55, col. 6:34-36, message type is determined),

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Outlook to include the teachings of Ye. The motivation to do so would be that the teachings of Ye would be advantageous in terms of providing techniques for delivering messages with automatic device selection (Ye, col. 1:50-53).

Outlook and Ye do not expressly disclose:

directing storage of information related to message priority;

determining whether the genetic-recipient message has priority based, at least in part, on the predefined attributes by comparing the predefined attributes associated with the generic-recipient message to the stored information related to message priority;

dispatching the prioritized message.

However, Kirkland discloses:

directing storage of information related to message priority (abstract, [0009-0010]);

570

> determining whether the genetic-recipient message has priority based, at least in
572 part, on the predefined attributes by comparing the predefined attributes associated with the generic-recipient message to the stored information related
574 to message priority (abstract, [0009-0010], priority level of a message is determined according to the subject of the message and the messages is
576 delivered and displayed to the recipient according to the priority level.);
>
578 dispatching the prioritized message (abstract, [0009-0010]).

580 It would have been obvious to one of ordinary skill in the art at the time of invention to combine determining whether the message has priority based at least in
582 part on the predefined attributes by comparing the predefined attributes of the message with pre- stored priority information; and prioritizing the message if a determination is
584 made that the message has priority as taught by Kirkland with the method of Outlook and Ye in order to determine message priority based on the subject of the message
586 (Kirkland, abstract, fig. 7.).

588 Outlook, Ye, and Kirkland do not expressly disclose:

590 > determining whether the message has priority bases, at least in part, on the determined type.
592

However, Shavit discloses:

594

> determining whether a message has priority based, at least in part, on a
596 determined type ([0038], priority determined by message type, see fig. 3C).

598 It would have been obvious to one of ordinary skill in the art at the time of the invention to include the teachings of Shavit with Outlook, Ye and Kirkland. The
600 motivation to do so is that the teachings of Shavit would be advantageous in terms of prioritizing message delivery mechanisms (Shavit, [0007]).

Regarding claim 18,

Outlook discloses:

> wherein directing receipt of a generic-recipient message by a network hub further comprises directing receipt of a generic-recipient message, that includes either a Short Message Service message, a Multimedia Message Service, (MMS) message, an electronic mail message or voice message (pg. 55, 97, email).

Outlook does not expressly disclose:

> wherein determining a type communication medium of the message comprises determining whether the message comprises a Short Message Service, a Multimedia Message Service, electronic mail message, or voice message

However, Ye discloses:

> wherein determining a type communication medium of the message comprises determining whether the message comprises a Short Message Service, a Multimedia Message Service, electronic mail message, or voice message (fig. 4, col. 1:51-53, col. 5:4-7, 54-55, col. 6:34-36).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Outlook to include the teachings of Ye. The motivation to do so would be that the teachings of Ye would be advantageous in terms of providing techniques for delivering messages with automatic device selection (Ye, col. 1:50-53).

Regarding claim 48,

Outlook discloses:

> wherein the directing receipt of a generic-recipient message by a network hub further comprises directing receipt of a generic-recipient message, that includes either a Short Message Service message, a Multimedia Message Service, (MMS) message, an electronic mail message or voice message (pg. 55, 97, email).

Outlook does not expressly disclose:

> wherein determining a type communication medium of the message comprises determining whether the message comprises a Short Message Service, a Multimedia Message Service, electronic mail message, or voice message

However, Ye discloses:

> wherein determining a type communication medium of the message comprises determining whether the message comprises a Short Message Service, a Multimedia Message Service, electronic mail message, or voice message (fig. 4, col. 1:51-53, col. 5:4-7, 54-55, col. 6:34-36).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Outlook to include the teachings of Ye. The motivation to do so would be that the teachings of Ye would be advantageous in terms of providing techniques for delivering messages with automatic device selection (Ye, col. 1:50-53).

Regarding claims 19 and 49,

Outlook fails to teach directing receipt of a message by a wireless network hub. However, it would have obvious to one of ordinary skill at the time of the invention to include receiving a generic-recipient message at a wireless network hub with the since incorporating wireless technology amounts to applying a known technique to a known device ready for improvement to yield predictable results (e.g. wireless transmission of messages). See MPEP 2141. Moreover, Kirkland suggests using wireless communication links for the network in [0022].

Regarding claim 11,

Kirkland discloses:

> wherein the step of determining whether the message has priority based on the predefined attributes further comprises determining whether the message has display priority based on the predefined attributes (abstract, [0009-0010], fig. 8.).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Kirkland with Outlook, Ye, and Shavit in order to determine message priority based on the subject of the message (Kirkland, abstract, fig. 7.).

Regarding claim 12,

Kirkland discloses:

> wherein prioritizing the message when a determination is made that the message has priority further comprises prioritizing the display of the message when a determination is made that the message has display priority (abstract. See also, fig. 8.).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Kirkland with Outlook, Ye, and Shavit in order to determine message priority based on the subject of the message (Kirkland, abstract, fig. 7.).

Regarding claim 13,

Kirkland discloses:

> wherein prioritizing the display of the message when a determination is made that the message has display priority further comprises directing display of displaying the message in a prominent position on a display associated with the hub (abstract, fig. 8.).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Kirkland with Outlook, Ye, and Shavit in order to deliver and display messages according to priority (Kirkland, abstract, fig. 7, [0009].).

Regarding claim 14,

Kirkland discloses:

> wherein determining whether the message has priority based on the predefined attributes further comprises determining whether the message has dispatch priority based on the predefined attributes (abstract. See also, fig. 8. See also Outlook pg. 97.).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Kirkland with Outlook, Ye, and Shavit in order to determine message priority base on subject or content (Kirkland, abstract, fig. 7, [0009].).

Regarding claim 15,

Kirkland discloses:

> wherein prioritizing the message when a determination is made that the message has priority further comprises prioritizing the dispatch of the message when a determination is made that the message has dispatch priority (abstract, fig. 8. See also Outlook pg. 97.).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Kirkland with Outlook, Ye, and Shavit in order to determine message priority base on subject or content (Kirkland, abstract, fig. 7, [0009].).

Regarding claim 16,

Kirkland discloses:

> wherein prioritizing the dispatch of the message when a determination is made that the message has dispatch priority further comprises prioritizing the communication medium used to dispatch the message when a determination is made that the message has communication medium dispatch priority (abstract, fig. 8. See also Outlook pg. 97.).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Kirkland with Outlook, Ye, and Shavit in order to determine message priority base on subject or content (Kirkland, abstract, fig. 7, [0009].).

Regarding claim 17,

Outlook teaches:

> wherein the step of prioritizing the dispatch of the message if a determination is made that the message has dispatch priority further comprises the step of prioritizing the time of dispatch of the message if a determination is made that the message has time dispatch priority (Outlook, pg. 97, 100, timed delivery options.).

Regarding claim 30,

Kirkland discloses:

> wherein the processor is further configured to at least one memory and stored computer program code are configured to, with the at least one processor, further cause the apparatus to determine predefined attributes of the received generic-recipient message and compare the predefined attributes to pre-stored display priority information to determine if the received message requires display prioritization (abstract, fig. 8.).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Outlook, Ye, Kirkland, and Shavit in order to determine message priority base on subject or content (Kirkland, abstract, fig. 7, [0009].).

Regarding claim 31,

Kirkland discloses:

> further comprising a display associated with the apparatus that is configured to, under the direction of the at least one memory and stored computer program code, display message identifiers to one or more recipients (abstract, fig. 8. See also Outlook pg. 97.).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Outlook, Ye, Kirkland, and Shavit in order to determine message priority base on subject or content as well as to display messages according to priority (Kirkland, abstract, fig. 7, [0009].).

Regarding claim 32,

Kirkland discloses:

> wherein the processor is further configured to at least one memory and stored computer program code are configured to, with the at least one processor, further cause the apparatus to provide for display prioritization to be chosen from the group consisting of displaying prioritized messages first in a list of messages, displaying prioritized messages in a new viewable window and displaying prioritized messages in a highlighted form (abstract. See also, [0051], fig. 6, 8.).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Outlook, Ye, Kirkland, and Shavit in order to determine message

priority base on subject or content as well as to display messages according to priority (Kirkland, abstract, fig. 7, [0009].).

Regarding claim 33,

Kirkland discloses:

> wherein the processor is further configured to at least one memory and stored computer program code are configured to, with the at least one processor, further cause the apparatus to determine predefined attributes of the received generic-recipient message and compare the predefined attributes to pre-stored dispatch priority information to determine if the received message requires dispatch prioritization (abstract. See also, fig. 8.).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Outlook, Ye, Kirkland, and Shavit in order to determine message priority base on subject or content as well as to display messages according to priority (Kirkland, abstract, fig. 7, [0009].).

Regarding claim 34,

Kirkland discloses:

> wherein the processor is further configured to at least one memory and stored computer program code are configured to, with the at least one processor, further cause the apparatus to provide for dispatch prioritization to be chosen from the group consisting of prioritizing the time at which messages will be dispatched, prioritizing the communication medium used to dispatch messages and prioritizing the recipients of the dispatched messages (abstract. See also, fig. 8, [0051].).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Outlook, Ye, Kirkland, and Shavit in order to determine message

priority base on subject or content as well as to display messages according to priority (Kirkland, abstract, fig. 7, [0009].).

Regarding claim 46,

Kirkland discloses:

> wherein the directing storage of information related to message priority further comprise directing storage of information related to message display priority, and wherein the determining whether the generic-recipient message has priority further comprise determining whether the generic-recipient message has display priority by comparing the predefined attributes associated with the generic-recipient message to the stored information related to message display priority (abstract. See also, fig. 8. See also Outlook pg. 97.).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Outlook, Ye, Kirkland, and Shavit in order to determine message priority base on subject or content as well as to display messages according to priority (Kirkland, abstract, fig. 7, [0009].).

Regarding claim 47,

Kirkland discloses:

> wherein the directing storage of information related to message priority further comprise directing storage of information related to message dispatch priority, and wherein the determining whether the message has priority further comprise determining whether the message has dispatch priority by comparing the predefined attributes associated with the messages to the stored information related to message dispatch priority (abstract. See also, fig. 8. See also Outlook pg. 97.).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Outlook, Ye, Kirkland, and Shavit in order to determine message

priority base on subject or content as well as to display messages according to priority (Kirkland, abstract, fig. 7, [0009].).

Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Outlook, Ye, Hardt, and Kirkland.

Regarding claim 42,

Kirkland discloses:

> wherein the directing dispatch of dispatching the message to one or more recipients further comprise directing display of displaying the message on a display associated with the network hub (abstract, fig. 8.).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Outlook, Ye, Hardt, and Kirkland in order to deliver and display messages according to priority (Kirkland, abstract, fig. 7, [0009].).

Claim 43 is rejected under 35 U.S.C. 103(a) as being unpatentable over Outlook, Ye, Hardt, Kirkland and further in view Domnitz.

Regarding claim 43,

Domnitz teaches:

> wherein directing display of a message on a display associated with a network hub further comprises fourth directing display of the message, which is associated with the Radio Frequency identifier, on a display associated with the network hub, wherein the recipient Radio Frequency identifier is associated with the radio frequency tag reader (fig. 1, email, PDA, pc, or cell phone display

messages associated with a radio frequency identifier, col. 5:7:-11, 30-50, fig. 1-2).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the teachings of Domnitz with Outlook, Ye, Hardt, and Kirkland. The motivation to do so is that the teachings of Domnitz would be advantageous in terms of providing information to individuals based on time and location (Domnitz, abstract, 5:30-50.).

Claims 52, 54, 56, 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Outlook, Ye, Kirkland, Shavit, and further in view of U.S. 6,912,398 to Domnitz.

Regarding claim 52,

Domnitz discloses:

further comprising displaying of the message on a display responsive to the radio frequency tag or radio frequency tag reader being placed in proximity to the network hub (col. 5:7-11, email is dispatched to a person's PDA based upon RFID location. See col. 7:57-67 to col. 8:3. See col. 4:56-67, col. 5:5-11, the abstract, col. 7:57-67 to col. 8:3, and figs. 1-2.).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the teachings of Domnitz with Outlook, Ye, Kirkland, and Shavit. The motivation to do so is that the teachings of Domnitz would be advantageous in terms of providing information to individuals based on location (Domnitz, abstract, 5:30-50.).

Regarding claim 54,

Domnitz teaches:

> a determination to dispatch a message is based, at least in part, on when a recipient-assigned Radio Frequency identifier associated with a radio frequency tag or a radio frequency tag reader associated with a recipient of the message is placed in proximity to the network hub (col. 5:7-11, email is dispatched to a person's PDA based upon RFID location. See col. 7:57-67 to col. 8:3. See col. 4:56-67, col. 5:5-11, the abstract, col. 7:57-67 to col. 8:3, and figs. 1-2.).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the teachings of Domnitz with Outlook, Ye, Kirkland, and Shavit. The motivation to do so is that the teachings of Domnitz would be advantageous in terms of providing information to individuals based on location (Domnitz, abstract, 5:30-50.).

Regarding claim 56,

Domnitz teaches:

> dispatch a message when a recipient-assigned Radio Frequency identifier associated with a radio frequency tag or a radio frequency tag reader associated with a recipient of the message is placed in proximity to the one or more communication networks (col. 5:7-11, email is dispatched to a person's PDA based upon RFID location. See col. 7:57-67 to col. 8:3. See col. 4:56-67, col. 5:5-11, the abstract, col. 7:57-67 to col. 8:3, and figs. 1-2.).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the teachings of Domnitz with Outlook, Ye, Kirkland, and Shavit. The motivation to do so is that the teachings of Domnitz would be advantageous in terms of providing information to individuals based on location (Domnitz, abstract, 5:30-50.).

936

Regarding claim 58,

938 Domnitz teaches:

940 dispatch a message occurs when a recipient-assigned Radio Frequency identifier associated with a radio frequency tag or a radio frequency tag reader associated
942 with a recipient of a message is placed in proximity to a network hub (col. 5:7-11, email is dispatched to a person's PDA based upon RFID location. See col. 7:57-
944 67 to col. 8:3. See col. 4:56-67, col. 5:5-11, the abstract, col. 7:57-67 to col. 8:3, and figs. 1-2.).

946

It would have been obvious to one of ordinary skill in the art at the time of the

948 invention to include the teachings of Domnitz with Outlook, Ye, Kirkland, and Shavit. The motivation to do so is that the teachings of Domnitz would be advantageous in

950 terms of providing information to individuals based on location (Domnitz, abstract, 5:30-50.).

952

Claims 7-8, 23-24, 27, 53, 55, 57 are rejected under 35 U.S.C. 103(a) as being

954 unpatentable over Outlook, Ye, Hardt, and further of Domnitz.

956 **Regarding claim 7,**

Domnitz teaches:

958

wherein directing dispatch of the message to one or more recipients further
960 comprises directing display of the message on a display (fig. 1-2, col. 4:45-51, abstract, col. 8:10-20.).

962

It would have been obvious to one of ordinary skill in the art at the time of the

964 invention to include the teachings of Domnitz with Outlook, Ye, and Hardt. The motivation to do so is that the teachings of Domnitz would be advantageous in terms of

providing information to individuals based on time and location (Domnitz, abstract, 5:30-50.).

Regarding claim 8,

Domnitz teaches:

> wherein the display is associated with the radio frequency identifier (col. 5:7:-11, 30-50, fig. 1-2, displays associated with radio frequency identifiers, laptop, pda.).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the teachings of Domnitz with Outlook, Ye, and Hardt. The motivation to do so is that the teachings of Domnitz would be advantageous in terms of providing information to individuals based on time and location (Domnitz, abstract, 5:30-50.).

Regarding claim 27,

Domnitz teaches:

> further comprising a display associated with the apparatus that is configured to, under the direction of the at least one memory and stored computer program code, display a message associated with the Radio Frequency identifiers (col. 5:7:-11, 30-50, fig. 1-2, displays associated with radio frequency identifiers, laptop, pda; col. 4:45-51, col. 8:10-20.).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the teachings of Domnitz with Outlook, Ye, and Hardt. The motivation to do so is that the teachings of Domnitz would be advantageous in terms of

providing information to individuals based on time and location (Domnitz, abstract, 5:30-50.).

Regarding claim 23,

Domnitz discloses:

> wherein the at least one memory and stored computer program code are configured to, with the at least one processor, cause the apparatus to direct dispatch of the message by directing dispatch of the message to one or more determined recipients via lower power RF (Domnitz, fig. 1.).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the teachings of Domnitz with Outlook, Ye, and Hardt. The motivation to do so is that the teachings of Domnitz would be advantageous in terms of providing information to individuals based on time and location (Domnitz, abstract, 5:30-50.).

Regarding claim 24,

Domnitz discloses:

> wherein the at least one memory and stored computer program code are configured to, with the at least one processor cause the apparatus to direct dispatch of the message directing dispatch of the message to one or more determined recipients by directing dispatch of the message to one or more determined recipients via a digital cellular network (fig. 3. See also col. 7:30-46.).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the teachings of Domnitz with Outlook, Ye, and Hardt. The motivation to do so is that the teachings of Domnitz would be advantageous in terms of

providing information to individuals based on time and location (Domnitz, abstract, 5:30-50.).

Regarding claim 53,

Outlook, Ye, and Hardt do not expressly disclose:

> directing dispatch of the message to the one or more determined recipients by assigning recipient Radio Frequency identifiers, associated with a radio frequency tag or a radio frequency tag reader associated with a recipient of the message, to the message; and
>
> dispatching the message when the radio frequency tag or radio frequency tag reader is placed in proximity to the network hub

However, Domnitz discloses:

> directing dispatch of a message to one or more determined recipients by assigning recipient Radio Frequency identifiers, associated with a radio frequency tag or a radio frequency tag reader associated with a recipient of the message, to the message (col. 4:56-67, col. 5:5-11, the abstract, col. 7:57-67 to col. 8:3, and figs. 1-2.), and
>
> dispatching the message when the radio frequency tag or radio frequency tag reader is placed in proximity to the network hub (col. 5:7-11, email is dispatched to a person's PDA based upon RFID location. See col. 7:57-67 to col. 8:3. See col. 4:56-67, col. 5:5-11, the abstract, col. 7:57-67 to col. 8:3, and figs. 1-2.).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the teachings of Domnitz with Outlook, Ye, and Hardt. The motivation to do so is that the teachings of Domnitz would be advantageous in terms of providing information to individuals based on location (Domnitz, abstract, 5:30-50.).

Regarding claim 55,

Domnitz teaches:

> directing dispatch of a message to one or more determined recipients by assigning recipient Radio Frequency identifiers, associated with a radio frequency tag or a radio frequency tag reader associated with a recipient of the message, to the message, and when the radio frequency tag or radio frequency tag reader is placed in proximity to the communication networks (col. 4:56-67, col. 5:5-11, the abstract, col. 7:57-67 to col. 8:3, see col. 4:56-67, col. 5:5-11 and figs. 1-2.).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the teachings of Domnitz with Outlook, Ye, and Hardt. The motivation to do so is that the teachings of Domnitz would be advantageous in terms of providing information to individuals based on location (Domnitz, abstract, 5:30-50.).

Regarding claim 57,

Domnitz teaches:

> directing dispatch of a message to one or more determined recipients includes assigning recipient Radio Frequency identifiers, associated with a radio frequency tag or a radio frequency tag reader associated with a recipient of the message, to the message, and dispatching the message when the radio frequency tag or radio frequency tag reader is placed in proximity to the network hub (col. 4:56-67, col. 5:5-11, the abstract, col. 7:57-67 to col. 8:3, see col. 4:56-67, col. 5:5-11 and figs. 1-2.).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the teachings of Domnitz with Outlook, Ye, and Hardt. The motivation to do so is that the teachings of Domnitz would be advantageous in terms of providing information to individuals based on location (Domnitz, abstract, 5:30-50.).

CONCLUSION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan Jakovac whose telephone number is (571)270-5003. The examiner can normally be reached on Monday through Friday, 7:30 am to 5:00 pm EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Ryan Jakovac/
Primary Examiner, Art Unit 2445